

Department of Public Health  
and Human Services

Section:  
HOUSEHOLD COMPOSITION

TANF CASH ASSISTANCE

Subject:  
Filing/Assistance Unit

**Supersedes:** TANF 201-1 (01/01/06)

**References:** ARM 37.78.102, .201, .206, .207, .208, .221, and .222; SB 29 2005



**GENERAL RULE**--An application on behalf of a minor child(ren) must include certain relatives living with the minor child(ren). These family members, related to the minor child(ren) by blood, adoption or marriage to the child's natural/adoptive parent, and the minor child(ren) are considered to be a **filing unit**. There must be an eligible child living in the household and included in the filing unit for the household to be eligible for TANF cash assistance.

**NOTE:** Minor children who usually live with a custodial caretaker relative and are visiting their other parent (or other caretaker relative) for a temporary visit are not considered to be living with the second parent or caretaker relative. They are 'temporarily absent' from their custodial parent, and could be eligible in the custodial parent's household.

**EXAMPLE:** Minor child normally lives with his mother. Each summer he goes to visit his father. During his absence from his mother's home, he is still considered to be living with his mother. If his father applied for TANF cash assistance and he was the only minor child in his father's home, the father's application would be denied (even if the child's mother was not on assistance).

## DEFINITIONS

A "**minor child**" is defined as a child under age 18 (or if age 18, is attending secondary school or its equivalent, full-time) **and** is living with a specified caretaker relative (TANF 304-1 and 305-1).

**NOTE:** A teen parent, who is not approved to live independently by the teen parent living arrangement committee, is considered a child for eligibility purposes and must be living with a specified caretaker relative.

A minor child is considered "**emancipated**" (no longer considered a dependent of his or her parents) only through court action or marriage. If emancipated, a minor child is not eligible to receive assistance unless he/she is a parent of a minor child.

**NOTE:** **EXCEPTION:** If the minor is emancipated due to marriage and the marriage is annulled, then the emancipation is also considered invalid and the teen must comply with the independent living requirements.

**NOTE:** The parents of a minor child who is emancipated either by court action or marriage are not included in the case with that child even if the child resides with them and is dependent on them.

A “**joint custody**” agreement legally provides that both parents function as providers of maintenance, physical care, and guidance for the child(ren). The actual circumstances may or may not indicate this is occurring. See TANF 201-2 for policy on Joint Custody.

## **REQUIRED FILING UNIT MEMBERS**

Certain related household members living with the minor child are required to be included in the filing unit. **The following individuals must be included in the filing unit:**

1. **The parent(s) of any minor child included in the assistance unit, and**

**NOTE:** "Parent" means a natural/adoptive parent or a stepparent (related by marriage to the child's natural/adoptive parent) or a person considered by law to be a parent in the case of a child conceived by artificial insemination.

2. **the blood-related, adoptive, or stepsiblings (brothers and sisters) who are themselves minor children within the age limit.**

When a birth parent's parental rights have been terminated and the child has been legally adopted, the child's adoptive parents are his/her parents for determining household composition, child support issues, etc.

Even when the birth parent also resides in the home, he/she is no longer considered the child's parent because his/her parental rights have been terminated.

If the birth parent is related to the adoptive parents, then the birth parent may still be considered a specified relative of the adoptive child (i.e., sibling, cousin, etc.). (Refer to Example #7 in the Filing Unit Examples)

## **ASSISTANCE UNIT**

Once the filing unit is established, a determination of eligibility occurs. This determination is made by evaluating the income, resources and non-financial eligibility of the filing unit. Collectively, their countable

income must pass the income tests and their countable resources must be within the resource limitation. Each filing unit member must meet all non-financial requirements. If the filing unit passes the income and resource tests and individually passes the non-financial requirements, the unit is then referred to as the **assistance unit**.

If the minor child is living with a specified caretaker relative **other than his parent(s)**, that relative is a required member only to establish the non financial requirement that the minor child must be living with a specified caretaker relative (coded 'Y' on the Spec Rel field on the SPRD screen). However, this caretaker relative may request to have his/her needs included in the benefits. If he/she chooses to not be included, all financial and non-financial requirements do not apply (TEAMS Part Code: 'OU').

**NOTE:** If he/she chooses to be included (Part Code: 'IN'), his/her spouse cannot, but the spouse's income and resources must be deemed (TEAMS Part Code: 'DP') to the caretaker relative who has chosen to be included. (TANF 305-1)

## **PREGNANT WOMAN**

A pregnant woman with no other natural/adoptive/step-children living with her may be eligible for benefits in her last trimester (3 months prior to the expected month of birth) if all financial and non-financial criteria are met.

If she lives with the **father of the unborn**, whether or not they are married, he is a required filing unit member unless excluded as stated later in this section. His income and resources must be considered (deemed) in determining the pregnant woman's eligibility. His TEAMS Participation Code on SEPA is 'DP'. **Once the child is born, he becomes a required assistance unit member and his income and resources are counted in full.** His TEAMS participation code on SEPA is changed to 'IN.'

If a pregnant woman **with other children**, is living with the father of the unborn who is not related to the children by marriage or parentage, the father of the unborn is a required filing unit member. His TEAMS Participation Code is 'DP'.

**NOTE:** The putative (believed to be) father of the unborn must provide a written statement to that effect to establish his filing unit status. If the pregnant woman is living with her husband, it is assumed he is the father of the unborn for eligibility purposes. Marital status must be verified. If the pregnant woman is not married or states the man with whom she is living is not the father of the unborn, she must comply with the non-financial child support enforcement requirement

as stated in TANF 306-1.

Upon notification of the child's birth, if neither the father nor newborn are excluded by regulation, the father's TEAMS Participation Code (Part Code) is changed from 'DP' to 'IN', the newborn's from 'UB' to 'IN'. If the new filing unit is eligible, the new members needs will be included the first of the month following the month of the child's birth or the month following the report of the birth, whichever is later.

## **PREGNANT MINOR**

A pregnant minor's (under age 18) eligibility is considered the same as stated above with the additional 'living arrangement' non-financial requirement stated in TANF 302-1.

## **TEAMS PROCESS**

Participation Codes (Part Codes) must be entered or changed for each person in the household on the SEtuP PAParticipation screen (SEPA) The following Part Codes identify the household members and their appropriate filing unit status. The codes instruct TEAMS to consider non-financial and financial requirements accordingly. Once the household member's status is determined, the Eligibility Case Manager selects the appropriate code and enters it in the Participation Code field.

## **ADULT/CHILD INDICATOR**

The following is a description of each code available and a definition to indicate the appropriate use of the code:

### **Code Description**

- 'A' All adult participants should be coded 'A' in the Adult/Child indicator on SEPA.
- 'I' A teen parent through the month of his/her 18th birthday, who meets the following criteria. A FIA/EP will be required for these teen parents:
  - a. meets the qualification to live independently; **or**
  - b. is emancipated by marriage; **or**
  - c. is emancipated by court action; **or**
  - d. is living with an adult who would meet the state requirements to become a legal guardian; **or**
  - e. is living in an approved alternative adult supervised setting such as a second chance/maternity home; **and**
  - f. receives benefits in his/her own case.

Because the 'I' Adult/Child indicator will start and increment the time clock, the 'PTP' exemption must be entered in the EXEMPT Code field on SEPA to stop the clock for these teen parents. **If the teen parent is not in compliance with his/her FIA/EP, the 'PTP' exemption code must be**

**removed to allow the clock to increment.**

- 'N' A teen parent not living independently according to the following criteria, and who is **attending high school** or working toward obtaining a GED, is **not required to participate** in FIA/EP activities:
- a. living with his/her parent's and included on his/her parent's grant; **or**
  - b. living with a specified caretaker relative within the 5<sup>th</sup> degree of kinship.
- 'F' A teen parent not living independently, according to the following criteria, who is **not attending high school** or working toward obtaining a GED **is required to participate** in FIA/EP activities:
- a. living with his/her parent's and included on his/her parent's grant; **or**
  - b. living with a specified caretaker relative within the 5<sup>th</sup> degree of kinship.
- 'T' Minor children sixteen (16) years of age or older (through the month of their 18th birthday) who are **not attending high school** or working toward obtaining a GED **are required to participate** in FIA/EP activities.
- 'C' Minor children who do not meet the criteria to be coded 'I', 'N', 'F' or 'T' must be coded 'C' in the Adult/Child indicator on SEPA.
- 'U' Unborn children with a participation code of 'UB' on SEPA and must be coded 'U' in the Adult/Child indicator.

**FILING UNIT  
EXAMPLES:**

1. A minor child's household consists of his mother, minor siblings, aunt. The filing unit includes the minor child, his mother, his brother, and his sister; all members are related to the minor child by blood. Although the aunt is related by blood, she cannot be included because the minor child is living with his/her parents.
2. A household consists of a minor child, his mother, and his stepfather. The filing unit includes the minor child, his mother, and his stepfather. The minor child is related to his stepfather by the marriage to his natural/adoptive mother.
3. A household consists of a minor child, his grandparents, and his minor sister. The filing unit includes the minor child and his sister. The grandparents are not required filing unit members for purposes of considering their income and resources but are to be listed and

one (not both) considered the minor child's caretaker relative to meet the non-financial eligibility requirement that the minor child live with a specified caretaker relative. One grandparent, not both, may choose to be included in the grant. If one grandparent is included the income of the other grandparent is deemed to the spouse.

4. A minor child's household consists of his mother, his stepfather and his stepbrother. The filing unit includes all household members. The minor child is related by marriage and by blood to the other family members.
5. A household consists of a minor child, his mother, his father, and his minor half-brother. The filing unit includes all household members. They are all related to one another by blood and the marriage of the children's parents.
6. A household consists of: mother, child who is also a teen mother (age 15, unmarried, attending school), grandchild, mother's other minor children, and the minor father (age 17, unmarried, not in school) of the teen mother's child. All members of this household are required filing unit members because they are all related to the minor child either as a sibling or parent. Enter on TEAMS SEPA screen:

Mother/Grandmother (Rel Code: 'PI'; Part Code: 'IN'; Adult/Child Code: 'A')

Minor siblings (Rel Code: 'CH'; Part Code: 'IN'; Adult/Child Code: 'C')

Teen mother (Rel Code: 'CH'; Part Code: 'IN'; Adult/Child Code: 'N')

Grandchild (Rel Code: 'GC'; Part Code: 'IN'; Adult/Child Code: 'C')

Teen father (Rel Code: 'NR'; Part Code: 'IN'; Adult/Child Code: 'I')

**NOTE:** No child support papers can be filed against the parents of the teen father's parents.

**NOTE:** If the father of the teen parent's child was age 18 or older, he would be coded 'A' in the Adult/Child field on SEPA. If the mother's spouse also lived in the household, TEAMS will allow three adults to be 'IN'.

7. A household consists of a mother, her daughter, and her daughter's child. The grandmother adopts the grandchild and then applies for assistance for that grandchild (now her child). The filing unit is the child and her adoptive mother (grandmother). If the sibling (birth mother) is a minor child, then she would be included in the filing

unit.

If the sibling (birth mother) and child move out of the home, then the child could receive assistance because she is living with a specified caretaker relative. The sibling (birth mother) could choose to be included in the assistance unit. Child support papers would be completed against the adoptive mother (grandmother) in this case.

## STRIKERS

Benefits are not available to families in which a required filing unit member is participating in a strike. (Refer to the Glossary for definition of strike). A person is considered to be a striker if he/she is involved either directly or indirectly in a strike on the last day of the month for which benefits are sought.

Any family who was receiving TANF cash assistance prior to the start of a strike will have benefits discontinued in accordance with the rules above even if all other eligibility factors are met.

**NOTE:** Participation in a strike shall not constitute good cause to leave, refuse to seek, or accept employment.

## EXAMPLES:

### At application

On April 5th when the family applies for benefits dad is on strike and the strike is not expected to end, benefits would be denied for failing a basic eligibility requirement. If the strike ends on April 20th, the family could reapply using an HCS-249. Benefits would become effective the date the HCS-249 is received.

or

Dad states that a vote was just taken and the strike will end April 20th, eligibility would be pended for verification that the strike had ended. When dad provides verification that the strike ended April 20th, the application would be approved with an effective date of April 5th.

or

Dad states that the strike will end May 1st, eligibility would be pended for verification that the strike ended. When Dad provides verification that the strike ended May 1st, the application for April would be denied because he was a striker on the last day of the month but would be approved with a benefit start date of May 1st. The notice that would be sent is deny first

month approve second.

### **Ongoing case**

Family receiving TANF reports on April 5th that dad is on strike and the strike started March 30th. This is reported timely. The case would be closed because the household contains an individual who is considered a striker (timely notice must be given).

On April 15th the household reports and verifies that the strike ended on April 12th. The case would be reverted to open because dad is not on strike the last day of the month so is no longer considered a striker.

### **or**

On May 7th the household reports that the strike ended on April 30th. The case would not be reverted to open because the change was not reported before the effective date of closure. The household would be required to reapply.

### **► MEMBERS EXCLUDED FROM THE ASSISTANCE UNIT**

Certain individuals, either adults or minor children, must be EXCLUDED from receiving benefits because of the provisions of Title IV-A of the Social Security Act and those sections of the Act amended by Public Law 104-193; or by State Law as outlined in ARM. These individuals may be required filing unit members but cannot receive benefits:

1. SSI (Supplemental Security Income) recipients (TEAMS Part Code: 'OU' for the adult; 'SC' for the minor child);

**NOTE:** The adult SSI recipient may qualify as the minor child's specified relative (Section 305-1) and should be coded on the SPRD screen by placing a 'Y' in the Specified Relative field.

**NOTE:** SSI 1619B individuals are considered SSI recipients and are coded 'OU' on SEPA.

**NOTE:** The SSI child is considered an "eligible child" for purposes of determining eligibility for other related family members with whom he/she is living, even if this is the only child in the household.

2. minor children receiving state, local or federal Foster Care payments and whose absence from the TANF cash assistance household is not considered temporary (TEAMS Part Code: 'OU');

- **NOTE:** These children are not considered to be an eligible child for purposes of determining eligibility for other related family members;
3. aliens who do not meet qualified alien status (Section 301-2) (TEAMS Part Code: 'DQ' reason code 'IA');
- NOTE:** If the alien is a refugee and not eligible for TANF cash assistance, assistance may be provided through the Refugee Cash/Medical Assistance program (TANF 1001-1 and 1002-1).
4. individuals who are fleeing to avoid prosecution, custody or confinement after conviction for a crime, which is a felony under the laws of the place from which the individual flees (TEAMS Part Code: 'DQ' reason code 'FF');
- 5. individuals who have been found to have committed fraud or an intentional program violation (TEAMS Part Code: 'DQ' reason code 'IF');
- 6. individuals who have been sanctioned for non-compliance with employment and training related activities (TEAMS Part Code: 'DQ' reason code 'SN');
- 7. individuals who have been convicted in Federal or State court of having made a fraudulent statement or representation with respect to the place of residence in order to receive assistance simultaneously from two or more states (TEAMS Part Code: 'DQ' reason code 'IF');
- 8. individuals who have been convicted of a drug-related felony after August 22, 1996 and who are not complying with the conditions of supervision, whose sentence has not been discharged and who are not actively participating in treatment, if required (TEAMS Part Code: 'DQ', reason code 'DR'); and
- **NOTE:** If the individual is not complying with the conditions of supervision, etc. and is coded 'DQ DR', eligibility for the entire household does not exist. The cash assistance would be denied or closed. (TANF 703-1) A TEAMS case note must be entered.
9. individuals who are violating a condition of probation or parole imposed under Federal or State law (TEAMS Part Code: 'DQ' reason code 'FF').
- NOTE:** The individual is not considered a probation/parole violator until

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the court/judge makes a ruling even if the individual states he/she is in violation. The ruling is usually based on the recommendation of the probation/parole officer. If the court ruling is that a violation has occurred, the individual's status is that of "violation" for eligibility purposes and is subsequently disqualified. Once further legal action is taken, such as incarceration, the individual's status is no longer a "violation" and eligibility is redetermined accordingly.

When any of the individuals listed above no longer meet the above conditions, eligibility must be redetermined for the entire filing unit.

**NOTE:** If the individual is coded 'OU', any monetary contribution given directly to the assistance unit member, must be entered against an 'IN' or 'DQ' member of the assistance unit. Document in TEAMS Case Notes (CANO).

## UNRELATED MEMBERS

Any individual who is not related to the minor child either by blood/adoption or marriage, but who lives with the child and his/her specified caretaker relative, **is not** included in the filing unit.

They should only be entered in the TEAMS case if they are included in another program (i.e., Food Stamps) (TEAMS Part Code 'OU'; Relationship Code: 'NR'). His/Her income and resources **do not count** in the determination of eligibility and/or grant. However, if this unrelated household member makes a financial contribution to the filing unit, the contribution is counted as unearned income to the filing unit. (TANF 501-1)

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**TANF cash assistance:** **TEEN PARENT** (Under age 18, **unmarried**, and caring for his/her

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minor child) References: TANF cash manual 201-1, 301-1, 305-1, 701-1, and 801-1.

**NOTE:** Indicators refer to the **teen parent only**.

Teen parent living arrangement	Part Code	Adult/Child Indicator	Time clock Exemption	FIA/EP Required
Not living independently and attending school.	IN	N	No clock	N
Not living independently and not attending school.	IN	F	No clock	Y
With child's father (regardless of age); not approved to live independently. <b>TANF cash assistance is denied.</b>				
Approved to live independently of a specified caretaker relative.	IN	I	Clock ticks	Y
Not approved to live independently of a specified caretaker relative. <b>TANF cash assistance is denied.</b>				

**TANF CASH ASSISTANCE: MINOR PARENT** (Under age 18, **married**, and caring for his/her minor child); **or** emancipated by the court.

**NOTE:** Indicators refer to the **minor parent only**

Minor Parent	Part Code	Adult/Child Indicator	Time clock Exemption	FIA/EP Required
Teen parent living arrangement rules do not apply. A minor parent has been emancipated by marriage or court.	IN	I	Clock ticks	Y

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